

REMARKS

This application is a broadening reissue application that was filed within two years of the issue date of U.S. Patent No. 6,264,659. Claims 1-24 are pending. The Notice of Non-compliant Amendment (“Notice”) mailed March 22, 2007 alleged that the amendment document filed March 6, 2007 was non-compliant because it failed to meet the requirements of 37 CFR 1.121 or 1.4. Specifically, the Notice indicated that the amendments to the claims were non-compliant because “new claims should not be underlined.” The applicant respectfully asserts that the amendment paper at issue is in compliance with 37 CFR 1.121(i), 1.173(b), and 1.173(d)(2), all of which set forth the manner of making amendments in reissue applications.

37 CFR 1.121(i) states that amendments to the description and claims of a reissue application must be made in accordance with 37 CFR 1.173. 37 CFR 1.173(d)(2) states that the matter to be added by reissue must be underlined. MPEP 1453(II) (page 1400-77) states that the entire text of new claims must be presented completely underlined, as shown in Example 5 on page 1400-79.

The amendment paper filed March 6, 2007 was a resubmission of original and new claims 1-24 as filed. New claims 23-24 were presented completely underlined in accordance with 37 CFR 1.173(d) and the MPEP as discussed above. Based on the foregoing, the Applicant believes the amendment paper filed March 6, 2007 was in compliance with 37 CFR 1.121(i) and 37 CFR 1.173, and thus the present reissue application is in proper condition for examination on the merits.

CONCLUSION

Favorable consideration and allowance of the claims in this application is respectfully requested. In the event that there are any questions concerning this Amendment or the application in general, the Examiner is cordially invited to telephone the undersigned attorney or the attorney of record so that prosecution may be expedited.

Respectfully submitted,
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